

**RECEIVED**  
**IN ALEXANDRIA, LA.**

**AUG - 8 2012**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

TONY D. MOORE, CLERK

BY mmg

DEPUTY  
LAWRENCE RICKS,  
Plaintiff

CIVIL ACTION NO.12-0349

VERSUS

JUDGE DEE D. DRELL

CITY OF ALEXANDRIA, et al.,  
Defendants

MAGISTRATE JUDGE JAMES D. KIRK

J U D G M E N T

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein (characterized as a motion to reconsider (Doc. No. 28), and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that Sheriff Wagner's motion to dismiss (Doc. 7) is GRANTED IN PART and Ricks' action against the "Rapides Parish Sheriff's Office" is DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Sheriff Wagner's motion to dismiss (Doc. 7) is GRANTED IN PART, and Ricks' action for punitive damages against Sheriff Wagner in his official capacity is DENIED AND DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED that Sheriff Wagner's motion to dismiss (Doc. 7) Ricks' action against Sheriff Wagner in his individual capacity is DENIED.

IT IS FURTHER ORDERED that Acadian Ambulance Service, Inc.'s motion to dismiss (Doc. 5) is GRANTED, Ricks' Section 1983 action against Acadian Ambulance is DISMISSED WITH PREJUDICE, and Ricks'

medical malpractice claim against Acadian Ambulance is DISMISSED  
WITHOUT PREJUDICE AS PREMATURE.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana,  
on this 7<sup>th</sup> day of AUGUST, 2012.

A handwritten signature in black ink, appearing to read 'Dee D. Drell', is written over a horizontal line.

DEE D. DRELL  
UNITED STATES DISTRICT JUDGE